

HOUSE BILL 3369

By Maggart

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 39, Part 2; Title 63, Chapter 6, Part 2 and Title 63, Chapter 9, relative to the licensure of certain medical practitioners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-214, is amended by adding the following new subsections:

(m) Within thirty (30) days after a sexual offender or violent sexual offender who is a physician, licensed or otherwise lawfully practicing within this state or applying to be so licensed or to practice, registers with the appropriate registering agency pursuant to § 40-39-203, the registering agency shall prepare and forward to the board a certified true and correct copy of the offender's TBI registration form. Upon receipt of the form, if the board determines that the person on the TBI sexual offender or violent sexual offender registration form is a physician, licensed or otherwise lawfully practicing within this state, the board shall revoke the offender's license to practice medicine. If the TBI registration form matches the name of a person applying to be licensed in this state or to practice in this state, the application shall be denied.

(n) By September 1, 2010, the board shall compare or have compared a list of all persons who are licensed to practice medicine in this state or who are otherwise lawfully practicing within this state against the list of persons who are registered as sexual offenders or violent sexual offenders pursuant to title 40, chapter 39, part 2. If it appears from this comparison that the same person is on both lists, the board shall request a certified copy of the person's TBI registration form. Upon receipt of the form from the TBI, the board shall conduct an investigation to determine if the person licensed

to practice medicine in this state or who is or otherwise lawfully practicing within this state is the same person who is a registered sexual offender or violent sexual offender. Such investigation shall take no more than thirty (30) days. If the board determines that the person whose name appears on both lists is the same person, it shall immediately revoke such person's license to practice medicine in this state or privilege to lawfully practice within this state. If the person whose name appears on both lists is not the same person, the board shall take no action.

(o) Upon the effective date of this act, the board shall determine, before granting any licensure or practice privileges, if a person who is applying for a license to practice medicine in this state or to otherwise lawfully practice within this state is registered as sexual offender or violent sexual offender pursuant to title 40, chapter 39, part 2. If any applicant to the board is a registered sexual offender or violent sexual offender, the board shall deny the application.

SECTION 2. Tennessee Code Annotated, Section 63-6-214, is amended by deleting subdivision (b)(10) and substituting instead the following:

(10) Conviction of a felony, conviction of any offense under state or federal drug laws, conviction of any offense involving moral turpitude or conviction of any offense for which the person is required to register as a sexual offender or violent sexual offender pursuant to title 40, chapter 39, part 2;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

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